

WHEREAS the said Sallie Ann Hilleary, owner of the other undivided one-half interest in said parcel of real estate, by her last Will and Testament dated September 26, 1895, probated November 18, 1898, and recorded in Liber J. K. W. No. 2, folios 379 and 380, one of the Record Books of Wills in the Office of the Register of Wills for Frederick County, gave her undivided one-half interest aforesaid to her brother, the said Clarence W. Hilleary, during his life time, and at his death willed and bequeathed the same to her niece, Sallie Worthington Hilleary, now Sallie W. Lewis, one of the grantors herein, with certain provisions therein providing for the disposition of the same in event Sallie W. Lewis should die under age or without issue all as will appear by reference to said last Will and Testament of the said Sallie Ann Hilleary probated and recorded as aforesaid, to which reference is hereby made for a more full and particular description of the terms and provisions thereof; and

WHEREAS the said Sallie W. Lewis, Harry W. Hilleary, Ann T. Hilleary, Janet H. Hilleary Botts, Clarence L. Hilleary, Ridgely B. Hilleary, Richard W. Hilleary, H. Worthington Hilleary and William Murray Hilleary are all of the living nephews and nieces of the said Sallie Ann Hilleary and are the only persons who have any interest, contingent or otherwise, in the aforesaid real estate under the Will of the said Sallie Ann Hilleary; and

WHEREAS by deed dated May 9, 1879, and recorded in Liber T. G. No. 11, folio 629, etc., one of the Land Records of Frederick County, Maryland, John Hilleary, Executor, and Sallie A. Hilleary, Executrix, sold and conveyed unto the said Clarence W. Hilleary two certain pieces or parcels of land containing in the aggregate Thirty-eight (38) acres and Two-thirds ($\frac{2}{3}$) of an acre of land, more or less, and described and conveyed herein as parcel No. 2, of which land the said Clarence W. Hilleary died intestate, seized and possessed, and which descended to the said Charlotte W. Hilleary, his widow, and the said Harry W. Hilleary and Sallie W. Lewis, his children, as his only next of kin and heirs at law; and